

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

John R. Gammino,)
)
 Plaintiff,) Case No. 1:06-CV-89
)
 vs.)
)
Cincinnati Bell, Inc.,)
et al.,)
)
)
)
 Defendants.)

O R D E R

Now pending before the Court is Defendants' motion to dismiss Plaintiff John R. Gammino's complaint for failure to comply with the Court's case management order concerning disclosure of preliminary patent infringement contentions (Doc. No. 23). One of the issues raised in the pleadings is the sufficiency of Plaintiff's infringement contentions in light of rulings made by the U.S. District Court for the Northern District of Texas on the same infringement contentions filed by Plaintiff in a lawsuit in that district. To assist the Court in resolving the instant motion, within twenty (20) days of the date of this order, the parties shall jointly supplement the present record with all pleadings, written orders, and hearing transcripts

relating to the sufficiency or insufficiency of Plaintiff's
infringement contentions filed in the lawsuit pending in the
Northern District of Texas.

IT IS SO ORDERED

Date October 11, 2006

s/Sandra S. Beckwith
Sandra S. Beckwith, Chief Judge
United States District Court